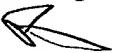


REMARKS

Applicant thanks the Examiner for conducting a telephone interview with Applicant's representative on April 19, 2004. As instructed by the Examiner, Applicant has made official note of the fact that the prior art rejection with respect to Rhoads is improper in light of the verified translation filed on November 21, 2003, to perfect Applicant's claim for priority, thus removing Rhoads as a valid prior art reference. The Examiner is kindly requested to make note of the filing of the verified translation in his next Action. *filed plr 3/1/04* 

Claims 1-3, 6-8, 11-13, and 21-24 remain rejected under 35 USC 102(b) as being anticipated by Braudaway, U.S. Patent 5,530,759. This rejection is respectfully traversed.

As previously submitted, claim 1 recites "the processor places bits for describing information different from information of image data obtained by image processing on an original image data." Thus, the bits which are placed within the image data correspond to information *obtained by image processing*. Applicant submitted that Braudaway does not perform the claimed image processing. The only image alteration that takes place in Braudaway is when the watermark pixels replace the original image pixels so that a watermark will be visible in the image. Even though this is a process of the image data, the bits which are placed are not a result of the process, but are determined before the image processing even begins, since they are what is used to process the image. The bits which are placed in Braudaway correspond directly to the watermark value, not to information obtained by image processing. Thus, Applicant asserted that the features of claim 1 were not taught or suggested by Braudaway. *2 (18)*

In response to Applicant's remarks, the Examiner asserts that the features upon which Applicant relied are not recited in the rejected claims (referring specifically to wherein "the bits which are placed within the image data correspond to information obtained by image processing.") Applicant respectfully disagrees.

As quoted above, claim 1 recites "the processor places bits for describing information different from information of image data obtained by image processing on an original image data."

Claim 1 clearly supports the assertion that the bits which are placed within the image data correspond to information obtained by image processing. Clearly image processing takes place according to claim 1. In fact, this phrase contains almost exactly the same words recited in claim 1. There are bits which correspond to the information obtained by image processing, and these bits are placed within the image data. Applicant's remarks are supported by the above-quoted claim language and the fact remains that Braudaway does not perform image processing. Applicant thus maintains that Braudaway fails to teach or suggest the features recited in claim 1.

Claims 6, 11 and 21 recite substantially the same features as recited in claim 1, and are therefore allowable for the same reasons. The remaining claims are allowable at least due to their respective dependencies. Applicant requests that this rejection be withdrawn.

Claims 4, 5, 9, 10, 14 and 15 were rejected under 35 USC 103(a) as being unpatentable over Braudaway in view of Rhoads, U.S. Patent 6,285,776. This rejection is respectfully traversed.

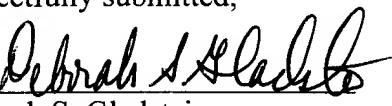
Applicant previously submitted that Rhoads is not a valid prior art reference under 35 USC 103(a) because it was filed on April 15, 1999, which is after the April 13, 1998 filing date of Japanese Application No. 10-115868, from which priority has been claimed. A verified translation of the priority document was filed with the Amendment filed on November 21, 2003 to perfect Applicant's claim for priority. The Examiner has failed to acknowledge this submission and has incorrectly maintained his rejection. Applicant respectfully requests that this verified translation be made of record and that this rejection be withdrawn as being improper.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and

authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 325772009100.

Dated: April 20, 2004

Respectfully submitted,

By 
Deborah S. Gladstein
Registration No.: 43,636
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 300
McLean, Virginia 22102
(703) 760-7753